"in the broad lines" that he has "closely followed" those authors, but in much of the detailed exposition of his theme. Thus, if he had taken Pollock and Maitland's great work as his authority, instead of Blackstone and Bacon, he would hardly have made his confident attribution of the system of uses to the civil law (§ 324), nor if he had had the fear of Digby before his eyes would he have adhered to the naive view of the Conqueror as bringing the feudal system ready-made with him from Normandy (§ 4, 33–35). It is to Cruise that we are indebted for the bold statement that the feud, originally dependent on the will of the lord, "came to be for a year, afterwards for life, and finally inheritable" (§ 31), but our author furnishes us with no clue to the authority for his curious definitions of free tenure (§ 35) and tenant *in capite* (§ 36) (the latter signifying "a chief tenant," *i. e.*, any one "holding lands either by knight's service or in socage"), and for his classification of modern contract rents as rents service (§ 435).

Indeed, the inaccuracies of the book are so numerous as to seriously impair its value for the student. The statement that dower by the common law was abolished along with military tenures (§ 148) is probably an inadvertence, and the repeated blunder, *ex assensa patris*, for *assensu*, and *ad ostium ecclesia*, for *ecclesiæ* (§§ 148, 150, 151) may be visited upon the proof-reader; but the author can hardly disclaim responsibility for his mysterious definition of "good consideration" as such as "is sufficient to pass title as between the parties to the deed, but not as against strangers thereto," while "a valuable consideration is effectual for all purposes" (§ 68); for his statement that "a written lease, even if under seal, may be surrendered by parol or by an agreement, either express or inferable from the conduct of the parties" (§ 194); or for his off-hand settlement of a vexed question in the declaration that a fee simple "may be rendered defeasible on the happening of some future event" (§ 69). These examples have been taken at random, but similar illustrations of the superficiality of this treatment "of an intricate subject" can be found on nearly every page of the book. With all of its excellent qualities, the work in its present form is an unsafe guide to the student for whom it is intended, and should be thoroughly revised before it is put into his hands.

It should be added that the illustrative cases (there are not many "leading" cases among them), thirty-nine in number, which occupy 172 pages of the book, are in general well selected, and add materially to the interest and value of the book as a manual for students.

ELEMENTS OF THE LAW OF BAILMENTS AND CARRIERS. By Philip T. Van Zile. Chicago: Callaghan & Co. 1902. pp. lvii, 785.

This work is too elaborate for a digest and not comprehensive enough for a treatise. Its chief merit, however, is due to the fact that it comprises, within the limits of a single volume, a statement not only of the general law of bailments, but of the law of pledge, innkeepers and common carriers. With the advantage of comparative brevity is combined a classification and arrangement of subject-matter in most respects commendable. Unless these features of the work justify its publication its claim to space upon the shelves of professional libraries, already groaning under a burden of indifferent

or positively worthless law books, is not apparent. At the best the book is elementary; never profound, and at times it barely rises above the rudimentary. Its style is variable, being sometimes clear and logical, but more often verbose and involved. The occasional digressions of the author to topics having little or nothing to do with the subject, as witness in Sec. 117, his discussion of the magnitude of business interests involving *locatio* and *conductio* bailments, and in Sec. 244 his five-page examination of the question of what is value in the transfer of negotiable paper, add nothing to the value of a work devoted to the subject of bailments and carriers, and appropriate space which could be used to better advantage. In short, a careful examination of the book fails to disclose wherein the author has in any important particular improved upon standard works like Schouler or Hutchinson, or raised his work above the level of the flood of law books which is being poured upon us in this era of rapid but indifferent bookmaking.

A CODE OF NEGLIGENCE. By John Brooks Leavitt. Albany: Matthew Bender. 1903. pp. xlviii, 802.

The codification attempted in this book is confined to the decisions of the court of last resort in a single State. Not the entire law of negligence, as that has been developed by judges and writers in England and the United States, is here presented, but those points only which have been directly in issue and actually adjudicated in the Court of Errors and the Court of Appeals of New York. One would expect it to be a fragmentary code, and it is, reminding the reader of Sir Frederick Pollock's famous description of the uncodified law of England. It "presents to the legal mind's eye a view not unlike the visible fabric of the Law Courts a year or two ago—here pinnacles receiving the last touch, there walls only rising from the ground. And, what is still more curious, the gaps are by no means confined to the places where one would expect them. An admirer of case-law as opposed to systematic legislation might prophesy beforehand that the natural growth of lawsuits in the commonwealth would be accompanied by a process of natural selection, whereby just those points would arise for decision which the convenience of the public then and there required to be decided. * * * It is quite certain that these expectations are not fulfilled. All kinds of curious little questions receive elaborate answers, while great ones remain in a provoking state of uncertainty."

To present a book as a code of negligence which is and must be full of gaps at important points does not commend itself to us as an ideal performance. And yet such a book has its advantages for the busy practitioner at the New York State bar. It saves him the necessity of reading a multitude of cases containing only dicta, and it is much more compact and complete than the general digest. A vast amount of careful work seems to have been expended on the volume. Its labor-saving devices are many and ingenious. In the first part, we have a codification of general principles, under each division of which all the rulings of the Court of Errors and Court of Appeals are given, with reference foot-notes to all corresponding cases in the various Appellate Divisions. In the second part is presented a con-